1	<b>BEFORE THE BOARD OF MEDICAL EXAMINERS</b>
2	OF THE STATE OF NEVADA
3	* * * *
4	In The Matter of an Investigation of ) Case No. 11-13178
5	GARY ROBERTS, C.R.T.,
6	) Alig 2 2 2011
7	License No. RC36 ) NEVADA STATE BOARD OF MEDICAL EXAMINERS
8	By: ODDED OF SUMMADY SUSPENSION
9	ORDER OF SUMMARY SUSPENSION On August 19, 2010, Board Staff presented evidence and information to the Investigative
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11	Committee, composed of Theodore Berndt, M.D., Chair, Valerie Clark, BSN, RHU, LUTCF,
12	Member, and Michael Fischer, M.D., regarding Gary Roberts, C.R.T. Upon review of the evidence
13	and information presented by Board Staff, the Investigative Committee hereby IMMEDIATELY
14	SUSPENDS the license to practice respiratory care of Gary Roberts, C.R.T. (hereinafter "Mr.
15	Roberts") pursuant to NRS 630.326(1) based upon the following preliminary findings:
16	1. Mr. Roberts is licensed to practice respiratory care in the state of Nevada and was
17	originally licensed on November 14, 2001.
18	2. On August 5, 2011 Mr. Roberts was working at University Medical Center (UMC).
19	While on duty, staff attempted to page Mr. Roberts over an extended period of time. He was
20	discovered in a restroom in UMC incoherent and disoriented with slurred speech and red, watery
21	eyes.
22	3. Mr. Roberts was taken to the emergency department of UMC and did provide a urine
23	sample which was determined to be positive for opiates.
24	4. Mr. Roberts does not have any current prescriptions for any opiate.
25	5. In the restroom that Mr. Roberts was discovered in, a syringe and needle were found
26	in the trash container and a loose hypodermic needle was found on Mr. Roberts in the emergency
27	department which was not consistent with those used in his respiratory duties.
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Mr. Roberts resigned his position at UMC before the investigation into the matter
was completed.

7. Mr. Roberts has admitted to having an issue with substance abuse and reports he is seeking treatment.

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5 While the Investigative Committee acknowledges that Mr. Robert's has indicated that he is 6 seeking treatment for substance abuse, the Committee believes that due to Mr. Roberts's illegal use 7 of opiates, and being under its influence while on duty as a respiratory therapist, that the health, 8 safety and welfare of the public is at imminent risk of harm and that a summary suspension of 9 Mr. Robert's license to practice respiratory care is necessary to remove said risk of imminent harm 10 to the health, safety and welfare of the public. Accordingly, pursuant to NRS 630.326(1):

IT IS HEREBY ORDERED that the license to practice respiratory care in the state of
Nevada of Gary Roberts, C.R.T., (License No. RC36) is hereby suspended until further order of the
Investigative Committee or Board; and

IT IS FURTHER ORDERED that a hearing be set within forty-five (45) days of this Order regarding this matter pursuant to NRS 630.326(2) to determine the appropriateness of this suspension, unless the parties mutually agree to a longer period of time.

DATED this 20<sup>th</sup> day of August, 2011.

INVESTIGATIVE COMMITTEE OF NEVADA STATE BOARD OF MEDICAL EXAMINERS

Alesdere B. Berndt Bv:

Theodore B. Berndt, M.D. Investigative Committee Chair